

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Corey Jawan Robinson, # 294233,)	C/A No. 5:12-502-JMC-KDW
)	
	Plaintiff,)
)	
v.)	
)	
Cpt. T. Clark; Ms. D. Bailey, Classification; Lt. J.)	
Williams; Officer S. Mosher; Sgt. J. Aranda;)	ORDER
Lolita M. Lee; Sherisse D. Birch; Loretta Aiken;)	
Warden Wayne McCabe; IGC B. J. Thomas;)	
Ofc. J. Middleton; Ofc. Jeremy Johnson;)	
Nurse Luanne Mauney; Nurse J. Scott;)	
Ann Hallman; Ofc. Tabitha Ford; Ms. S. Jones;)	
Cpt. William Brightharp; Major Thierry Nettles;)	
Assoc. Warden Fred Thompson; and)	
Cpt. Ann Sheppard,)	
)	
	Defendants.)
)	

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. This matter is before the court on Plaintiff's "Motion for a Court Order Emergency Investigation" filed on October 22, 2012. ECF No. 138. Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(B), and Local Rule 73.02(B)(2)(d), D.S.C., this magistrate judge is authorized to review all pretrial matters in cases filed under 42 U.S.C. § 1983.

In support of his motion, Plaintiff argues that he has been harassed and retaliated against by Defendants since the filing of his Amended Complaint on April 5, 2012. ECF No. 138 at 1. Plaintiff contends that Defendants are slandering him to other inmates in an effort to have Plaintiff stabbed or hurt. *Id.* at 2. Plaintiff further contends that he is not receiving adequate food, that his food has foreign substances in it, and that he has missed meals or has

had items missing from his food tray, which has resulted in lost weight and stomach pains. *Id.* Plaintiff avers that he has filed grievances to appropriate staff members regarding these complaints, but his requests have not been answered. *Id.* Plaintiff requests that the court issue an order to investigate the harassment and retaliation. *Id.* Defendants oppose Plaintiff's motion arguing that Plaintiff has not "set forth a concrete basis for an investigation into alleged harassment by defendant officers." ECF No. 146 at 2. Further, Defendants aver that they have "not currently, nor have they ever, campaigned to harass the Plaintiff." *Id.*

Plaintiff's motion appears to address conditions of his confinement that occurred subsequent to the filing of his Amended Complaint. As such, Plaintiff's claims are not related to the action presently pending before the court and should have been raised pursuant to a civil rights complaint. *Preiser v. Rodriguez*, 411 U.S. 475, 499-500 (1973) (a civil rights action is a proper remedy for a prisoner challenging the conditions of his prison life). Because a Motion for Court Order Emergency Investigation is not the proper avenue in which to seek the requested relief, Plaintiff's motion, ECF No. 138, is denied.

IT IS SO ORDERED.



January 24, 2013
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge